

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

OPTIMORPHIX, INC.,

Plaintiff,

v.

BROADCOM, INC.,

Defendant.

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Civil Action No. 5-23-cv-00134

JURY TRIAL DEMANDED

ORDER GRANTING MOTION TO DISMISS FIRST AMENDED COMPLAINT

CAME ON CONSIDERATION, Defendant CA, Inc. (“CA”)’s Motion to Dismiss First Amended Complaint. Having considered the Motion and corresponding briefs and related papers, the Motion is hereby **GRANTED**. Plaintiff OptiMorphix, Inc.’s claims of pre-suit willful infringement and pre-suit indirect infringement are dismissed, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, for failure to state a claim upon which relief may be granted.